

DEP 3 REF

Patent

Attorney's Docket No. 1014975-000112

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2008 AUG 12 11:45:50

In re Patent Application of

MAIL STOP 16

Mathias BERGMAN et al.

Group Art Unit: 1654

Application No.: 10/530,016

Examiner: David Lukton

Filed: July 12, 2005

Confirmation No.: 7816

For: TUMOR TARGETING AGENTS
AND USES THEREOFREQUEST FOR REFUNDCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby request a refund of an improperly charged fee in the amount of \$405.00 charged to the credit card of Applicants' representative on December 27, 2007. The fee code designated for this charge was indicated as 2801, which is the fee for a Request for Continued Examination (RCE) under 37 CFR 1.17(e).

On December 27, 2007, Applicants filed an RCE along with the \$405.00 fee. This RCE was determined by the Examiner to be improper for the reasons stated in the Notice of Improper Request for Continued Examination (RCE) mailed on January 23, 2008. Even though the RCE was denied as being improper, the Office still charged the credit card of Applicants' representative for the RCE fee.

Since the RCE was never granted, Applicants respectfully submit that they are entitled to a refund in the amount of \$405.00 that was submitted along with the

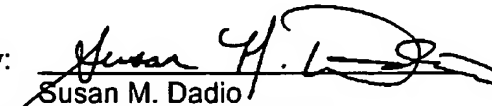
RCE on December 27, 2007. The PTO is requested to issue the refund in the amount of \$405.00 to Deposit Account No. 024800, referencing 1014975-000112.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: August 11, 2008

By:


Susan M. Dadio
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703 836 6620



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of) MAIL STOP RCE
Mathias Bergman et al.) Group Art Unit: 1654
Application No.: 10/530,016) Examiner: David Lukton
Filing Date: July 12, 2005) Confirmation No.: 7816
Title: TUMOR TARGETING AGENTS AND)
USES THEREOF)

REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL LETTER

MAIL STOP RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Customer Number 21839

Sir:

Applicant(s) requests continued examination under 37 C.F.R. § 1.114 of the above-identified application and encloses the ☒ \$405 ☐ \$810 fee due under 37 C.F.R. § 1.17(e).

1. ☐ A. Applicant(s) requests that any previously unentered after final amendments not be entered. Continued examination is requested based on the enclosed documents identified in item 2 below.
- ☒ B. Applicant(s) previously submitted the following documents for which continued examination is requested:
- ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on September 4, 2007.
- ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.
- ☐ Other: _____

2. The following documents are enclosed with this submission:

- ☐ Amendment/Reply
- ☐ Affidavit(s)/Declaration(s)
- ☐ Information Disclosure Statement
- ☐ Petition for Extension of Time
- ☐ Other: _____

12/28/2007 CHGUYEN2 00000035 10530016

01 FC:2801

405.00 OP

Adjustment date: 08/14/2008 HDESTA1
12/28/2007 CHGUYEN2 00000035 10530016
01 FC:2801 -405.00 OP

Refund Ref:
08/14/2008 0030059926

Buchanan Ingersoll & Rooney PC
Attorneys & Government Relations Professionals

Credit Card Refund Total: \$405.00

Am Exp.: XXXXXXXXXXXX1009